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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,167	01/08/2002	Helmut Kreuzer	1764	4987

7590 05/16/2005
Striker Striker & Stenby
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EXAMINER

KIM, PAUL D

ART UNIT PAPER NUMBER

3729

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

②

Office Action Summary	Application No. 09/937,167	Applicant(s) KREUZER ET AL.	
	Examiner Paul D Kim	Art Unit 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 March 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 and 20 is/are pending in the application.
 - 4a) Of the above claim(s) 10 and 20 is/are withdrawn from consideration.
- 5) Claim(s) 4-9 and 11 is/are allowed.
- 6) Claim(s) 1-3 and 12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/20/04.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

This office action is a response to the amendment filed on 3/21/2005.

Claim Objections

1. Claims 1-9, 11 and 12 objected to because of the following informalities:

As per claim 1 after "a cylindrical ring shape" as recited in lines 7-8, delete "(52)".

As per claims 4, 5, 8, 9 and 11 after "a cylindrical ring shape" as recited in line 8, delete "(52)".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi et al. (US PAT. 6,317,962).

Adachi et al. teach a process of making a stator comprising steps of: providing a substantially parallelepiped shape (50) with slots (51a) extending parallel on one side as shown in Fig. 2; inserting a core winding (52) is inserted by its winding sides (51a) as shown in Fig. 3; and reshaping the core (50) together with the core winding (52) is into a cylindrical ring shape (5) with radially inward-oriented slots as shown in Fig. 1. Also,

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Adachi et al. teach that the core winding (52) is preformed into a shape which is generally flat and which needs not be further formed within the slots (51a) as shown in FIG. 2, which is equivalent with the recitation of "all winding sides that are inserted into each slot are put into a slot shape in a tool and reshaped plastically before being inserted into the slot to permanently assume the slot shape". Even though Adachi et al. do not teach the tool for plastically reshaped all winding sides before being inserted into the slot to permanently assume the slot shape, the core winding of Adachi et al. has been already preformed (plastically reshaped) in the slot shape in a tool (not shown) and does not need further formed within the slots (which is equivalent with permanently assume the slot shape) before being inserted into the slot (see also col. 2, lines 50-67). Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the core winding of Adachi et al. by using the tool for reshaping the core winding into permanently assume the slot in order to reduce the procedure (or extra steps) to make the stator.

In addition, even though Adachi et al. do not teach that the core winding is pressed into the slot, it would be obvious to apply a force (equivalent with press) either by hand or machine to put the core winding into the slot in order to arrange the core winding relatively into the slots (as per claim 3).

As per claim 12 the end of the cylindrical ring shape is welded together.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi et al. in view of Rich (US PAT. 4, 102,040).

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Adachi et al. teach all of the limitations as set forth above except one half-tooth each of core ends in the circumferential direction. Rich teaches a process of making a stator including a process of bending a core having slots (as shown in Fig. 3), wherein one half-tooth (5) is located at each of core ends in the circumferential direction as shown in Fig. 2 in order to weld one end to the other easily (see col. 9, lines 48-63). Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the core winding of Adachi et al. by one half-tooth being at each of core ends in the circumferential direction as taught by Rich in order to weld one end to the other easily.

Allowable Subject Matter

5. Claims 4-9 and 11 are allowed.

Response to Arguments

6. Applicant's arguments with respect to claims 1-12 and 20 have been considered but are moot in view of the new ground(s) of rejection. Rejections are based on the newly cited reference.

7. Applicant argues that the prior art of record fails to disclose the claimed invention such as the core having substantially parallelepiped shape with slots. Fig. 2 of Adachi et al. shows the core having substantially parallelepiped shape with slots. Also, applicant argues that press and reshape all winding sides each inserted into the slot before the insertion. Adachi et al. teach that the core winding is preformed into a shape which is

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generally flat and which needs not be further formed within the slots before the insertion. Also, applicant argues that the prior art of record fails to disclose the claimed invention such as the core with the winding are together reshaped in the cylindrical ring shape. Figs. 1-3 of Adachi et al. show that the core with the winding is together reshaped in the cylindrical ring shape to form a stator.

8. This application contains claims 10 and 20 drawn to an invention nonelected claims filed on 10/6/2004. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D Kim whose telephone number is 571-272-4565.

The examiner can normally be reached on Monday-Friday between 8:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

pdk



**A. DEXTER TUGBANG
PRIMARY EXAMINER**